## FEDERAL COMMUNICATIONS COMMISSION 445 TWELFTH STREET SW WASHINGTON DC 20554

MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/media/radio/audio-division

TELEPHONE: (202) 418-7226 FACSIMILE: (202) 418-1410 E-MAIL: jerome.manarchuck@fcc.gov

**ENGINEER:** Jerome J. Manarchuck

October 11, 2019

GOW Media, LLC Suite 415 5353 West Alabama Houston, TX 77056

Re: GOW Media, LLC

KGOW(AM), Bellaire, TX

Facility Identification Number: 17389

Special Temporary Authority

## Dear Applicant:

This is in reference to the request filed October 4, 2019, on behalf of GOW Media, LLC ("GML"). GML requests special temporary authority ("STA") to operate station KGOW(AM) during daytime hours with parameters at variance from its licensed facilities. Specifically, GML requests that station KGOW(AM) be permitted to operate day and night utilizing the station's licensed nighttime parameters from the station's licensed nighttime site.

In support of the request, GML states that due to significant flooding in the Houston, Texas area, specifically the area around Rosharon, Texas, including the KGOW daytime transmitter site, GML has lost the ability to use the KGOW(AM) daytime site. Therefore, the station requests STA to operate day and night utilizing the station's licensed nighttime parameters from the station's nighttime site.

Accordingly, the request for STA IS HEREBY GRANTED. Station KGOW(AM) may operate daytime and nighttime with the station's currently licensed nighttime parameters from the nighttime site location. It will be necessary to further reduce power or cease operation if complaints of interference are received. KGOW(AM) must notify the Commission when licensed operation is restored.<sup>2</sup> KGOW(AM) must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310.

\_

<sup>&</sup>lt;sup>1</sup> KGOW(AM) is licensed for operation on 1560 kHz with a daytime power of 46 kilowatts and a nighttime power of 15 kilowatts, employing different directional antenna patterns (DA2-U).

<sup>&</sup>lt;sup>2</sup> See 47 CFR §§ 73.45(c), 73.51, 73.61(b).

This authority expires on April 8, 2020.

STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,

Jerome J. Manarchuck

**Audio Division** 

Media Bureau

cc: Barry A. Friedman, Esq. (via email only)